

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

THOMAS CUMBEST, ANN CUMBEST,  
and Juvenile Female ZC, a minor

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 1:07cv968WJG-JMR

GERBER LIFE INSURANCE COMPANY, a  
non-resident corporation of the State of  
Mississippi; NORTHROP GRUMMAN  
CORPORATION, a non-resident  
corporation of the State of Mississippi;  
and THE VOLUNTARY ACCIDENTAL  
DEATH AND DISMEMBERMENT POLICY  
FOR EMPLOYEES OF NORTHROP  
GRUMMAN CORPORATION

DEFENDANTS

SUMMARY JUDGMENT

THIS CAUSE is before the Court on the motion [21] for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure filed by Defendants Gerber Life Insurance Company and The Voluntary Accidental Death and Dismemberment Policy for employees of Northrop Grumman Corporation for summary judgment. Also pending before the Court is the motion [18] for summary judgment of Plaintiffs Thomas Cumbest, Ann Cumbest and Juvenile Female ZC Cumbest [collectively, the Cumbests]. Pursuant to the Memorandum Opinion entered in this cause, this date, incorporated herein by reference, it is therefore,

ORDERED AND ADJUDGED that Defendants' motion [21] for summary judgment be, and is hereby, granted. It is further,

ORDERED AND ADJUDGED that the Plaintiffs' motion [18] for summary judgment be, and is hereby, denied. It is further,

ORDERED AND ADJUDGED that each party shall bear their respective costs associated with this cause of action. It is further,

ORDERED AND ADJUDGED that this matter be, and is hereby dismissed, and closed on the docket of this Court.

SO ORDERED AND ADJUDGED, this the 16<sup>th</sup> day of September, 2009.

*Walter J. Sex III*  
UNITED STATES SENIOR DISTRICT JUDGE